

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

v.

E.I. DU PONT DE NEMOURS AND CO. and
PIONEER HI-BRED INTERNATIONAL, INC.,

Defendants.

Case No. 09-cv-0686 (ERW)

EXHIBIT A

**DUPONT'S AND PIONEER'S SUBMISSION
OF SEARCH TERMS IN ACCORDANCE WITH
THE COURT'S CASE MANAGEMENT ORDER**

Search Terms for DuPont/Pioneer

Search Terms for DuPont/Pioneer
GAT
(GAT* AND NOT (GATE* OR GATH*))
OGAT*
"GAT/RR"
98140
GLYAT
GRS
"GAT Roundup Stack"
DMA
"Dual Mode of Action"
(Optimum w/5 (GAT OR soy* OR corn))
OptimumGAT
"Glyphosate-n-acetyltransferase"
acetyltransferase
anticompet* or anti-compet*
(ALS /5 (toleran* OR resistan*))
"DP356043-5"
DP3560435
"US2009/0011938"
US20090011938
(*938 /5 (patent OR app*))
"12/129,947"
"10/427,692"
"10/004,357"
"60/377,719"
"60/377,175"
"60/244,385"
12129947
10427692
10004357
60377719
60377175
60244385
((Roundup* OR RR) /5 (stack* OR corn OR soy* OR cross* OR combin*))
40*3*2
*40*3*2
"40 3 2"
NK*603
NK603
NK603
EPSP*
enolpyruvylshikimate
enolpy*
(SEQ /5 70)
(SEQ /5 3)

"P93-258-01"
"00-01 I-OIP"
CP4
CaMV*
35S
"chloroplast transit peptide*"
CTP*
pMON13640
pMON*13640
((("biological material*" OR "bio material*") /20 ("previously supplied" OR progeny OR corn OR RR OR Roundup* OR soy* OR glyphosate))
"U.S. Re. 39,247E"
"U.S. Re. 39247E"
"US Re 39,247E"
"US Re 39247E"
(*247 /5 (reissue OR patent OR app* OR prosec* OR infring*))
"5,633,435"
5633435
(*435 /5 (patent OR app* OR prosec*))
(Gerard /3 Barry)
(Gerry /3 Barry)
(Ganesh /3 Kishore)
(Stephen /3 Padgette)
(Steve /3 Padgette)
(William /3 Stallings)
(Bill /3 Stallings)
Fraley
(Stack* and (soy* OR corn OR optimum OR *GAT OR roundup* OR RR OR Monsanto OR MON OR EPSP* OR CP4 OR NK603 OR NK*603 OR 40*3*2 OR "P93-258-01" OR "00-01I-OIP"))
(Combin* and (soy* OR corn OR optimum OR *GAT OR roundup* OR RR OR Monsanto OR MON OR EPSP* OR CP4 OR NK603 OR NK*603 OR 40*3*2 OR "P93-258-01" OR "00-01I-OIP"))
(Breed* and (soy* OR corn OR optimum OR *GAT OR roundup* OR RR OR Monsanto OR MON OR EPSP* OR CP4 OR NK603 OR NK*603 OR 40*3*2 OR "P93-258-01" OR "00-01I-OIP"))
(Cross* and (soy* OR corn OR optimum OR *GAT OR roundup* OR RR OR Monsanto OR MON OR EPSP* OR CP4 OR NK603 OR NK*603 OR 40*3*2 OR "P93-258-01" OR "00-01I-OIP"))
(soy* w/10 (agreement* OR licens* OR contract*))
(corn w/10 (agreement* OR licens* OR contract*))
(yieldgard* w/10 (agreement* OR licens* OR contract*))
("master settlement" w/5 (agreement* OR licens* OR contract* OR release))

("definitive agreement*" w/10 (master OR settlement OR RR OR Roundup*))
((Monsanto OR MON) w/10 (agreement* OR licens* OR contract*) w/10 (RR OR Roundup*))
("licensed field" w/20 (RR OR Roundup* OR glyphosate))
("licensed commercial seed*" w/20 (RR OR Roundup* OR glyphosate))
("licensed corn product*" w/20 (RR OR Roundup* OR glyphosate))
("selectable marker*" w/5 (RR OR Roundup* OR glyphosate))
GOX
GA21
(MON810 and (agreement* OR contract* OR licens* OR LOI OR "Letter of Intent"))
(MON*810 and (agreement* OR contract* OR licens* OR LOI OR "Letter of Intent"))
(YieldGard* and (agreement* OR contract* OR licens* OR LOI OR "Letter of Intent"))
(lepidop* and (agreement* OR contract* OR licens* OR LOI OR "Letter of Intent"))
((("letter of access" OR LOA) w/20 (RR OR Roundup*))
((APHIS OR USDA) and (RR OR Roundup*))
"Input Trait Strategy Team"
ITST
(Project w/3 Green)
(Project w/3 PAM)
(Acceleron w/5 (Roundup OR RR OR soy))
"Access to acres"
(Access w/5 acres)
Anticompetitive
(Change w/5 control)
"Co-brand"
Cobrand*
(Compet* within 30 (trait* OR seed* OR grain* OR germplasm OR RR OR RR1 OR "Roundup Ready" OR Genuity OR glyphosa* OR herbicid* OR soy* OR corn OR gene* OR GMO* OR patent* OR transgen*))
("Corn States" w/5 germplasm)
("Data package" w/10 (regulatory OR registration))
(domina* w/5 (share OR corn OR soy OR trait* OR stack*))
(Foreign w/5 regulatory w/5 approv* w/5 soy*)
Generic
(Germplasm w/5 "out-licens*")
(Germplasm w/5 outlicens*)
(Germplasm w/10 develop*)
(GreenLeaf and germplasm)
(GreenLeaf and "out-license")
(Herculex w/15 Dow)

("High oleic" and stack*)
("Holden's" w/5 "out-license")
"Independent seed compan**"
ISC
"Letter* of Intent"
"License restrictions"
("Low linoleic" AND (stack* OR "market share" OR Monsanto OR MON))
"LOI"
("Market share*" AND (trait* OR seed* OR grain* OR germplasm OR RR OR RR1 OR "Roundup Ready" OR Genuity OR glyphosa* OR herbicid* OR soy* OR corn OR gene* OR GMO* OR patent* OR transgen*))
("Midwest Oil Seeds" w/5 germplasm)
Monop*
(Monsanto OR MON and germplasm)
(Monsanto OR MON and stacking)
"Optimum Acre Max"
Patent w/5 expir* w/20 reg*
"Poison pill"
"PROAccess"
(Pro w/2 access)
(Soybean AND LOI) OR (Soybean AND "Letter* of Intent")
(share w/5 (corn OR soy OR trait* OR germplasm))
(SmartStax and Dow)
Plenish
"Post-patent"
(Registration* w/30 (foreign OR trait OR stack OR market* OR regulat*))
((("Roundup Ready 2 Yield" OR RR2 OR RR2Y OR Genuity) and pric*))
((("Roundup Ready 2 Yield" OR RR2 OR RR2Y OR Genuity) and yield))
((("Roundup Ready 2 Yield" OR RR2 OR RR2Y OR Genuity) and "seed treatment"))
((("Roundup Ready 2 Yield" OR RR2 OR RR2Y OR Genuity) and performance))
(Yield w/5 advantage)
(Yield w/5 drag)
(Green w/10 (Mon or Monsanto OR MON or GAT))
(PAM w/10 (Mon or Monsanto OR MON or GAT))
PHI-MON
"Soybean Research Leadership Team"
Dekalb w/20 glyphosate
(soy* w/20 (reg* or dereg* or "data package" or "government* approval"))
(6.01* w/10 reg*)

((("Authorization letter*" or "letter* of access" or "access letter*" or LOA) and soy* and (RR or Roundup* or OGAT* OR (GAT* AND NOT (GATE* OR GATH*))))
(data AND soy* AND reg* AND (RR or Roundup* or OGAT* OR (GAT* AND NOT (GATE* OR GATH*))))
((auth* w/5 letter*) and soy* and (RR or Roundup* or OGAT* OR (GAT* AND NOT (GATE* OR GATH*))))
("Global Registration" and soy* and (RR or Roundup* or OGAT* OR (GAT* AND NOT (GATE* OR GATH*))))
("Biotech Affairs" and Reg* and soy* and (RR or Roundup* or OGAT OR (GAT* AND NOT (GATE* OR GATH*))))
"8.04" and (corn or soybean) and agreement*
"9.02" and (corn or soybean) and agreement*
"2.02" and (corn or soybean) and agreement*
"2.11" and (corn or soybean) and agreement*
"2.09" and (corn or soybean) and agreement*
"3.01" and (corn or soybean) and agreement*
"4.01" and (corn or soybean) and agreement*
"3.02" and (corn or soybean) and agreement*
"3.04" and (corn or soybean) and agreement*
"4.02" and (corn or soybean) and agreement*
"11.05" and (corn or soybean) and agreement*
"11.06" and (corn or soybean) and agreement*
(Terminate w/20 license)
"limitation of liability"
(damage* w/20 license)
"OGAT/RR"
(OGAT w/20 RR)
(stack w/20 (OGAT or GAT))
(Agracetus w/20 soy* or transform*)
McCabe
Christou
"Applied Genetics"
"Greenleaf Genetics"
(change w/2 in w/2 control)
monopol*
foreclos*
("MSA" or (master w/2 settlement w/2 agreement))
((("HCS" or "Holdens" or "Holden's") w/10 germplasm)
(Committee w/3 agricul* w/3 innovation w/2 productivity)
((DOJ or Division) or (Department w/3 justice) and Monsanto)
((FTC or "Federal Trade Commission") and Monsanto)
(USDA or (Department w/5 Agriculture) and Monsanto)
(generic w/10 RR or RR1 or (Roundup w/2 Ready))
(reasonable w/10 royalty)

(export* w/10 market*)
(regulatory w/10 barriers)
Hoerner
Bolding
Padgett
Eichholtz
Delaney
Hinchee
Horesch
Gasser
Fischer
Bonner
Waack
Scruggs
Trivette
Bowman
Kishore
Stallings
Krammere
McFarling
Rousch
(American w/5 antitrust w/5 institute)
Moss
(violat* w/10 ("40-3" or soy* or corn or NK603 or dupont or pioneer or PHB))
Henner
Comai
"WO92/04449"
("PCT Application" w/10 ("barry" or "CP4"))
(Rhodes w/20 patent)
((("field test" or "laboratory test" or research or marketing or "product development") /p ("Optimum GAT" or "GAT" or "O-GAT" or "OGAT" or "356043")))
(herculex w/20 (dow or mycogen))
(herculex w/20 (dupont or pioneer))
"dual modes"
(modes w/3 action)
(dow w/20 (insect w/3 resist*))
(dow w/20 ("Roundup" or "RR corn" or "RR1" or "NK603"))
(herculex w/20 ("Roundup" or "RR corn" or "RR1" or "NK603"))
((("eight-gene" or "8-gene" or "eight gene" or "8 gene") w/5 stack)
(stack w/20 (insect* and herbicide))
(stack w/20 ("IR" and "HT"))
(stack w/20 (resist* and toleran))

((market or compet*) w/20 (stack or herculex or smartstax or "eight-gene" or "8-gene" or "eight gene" or "8 gene" or "dual modes"))
acceleron
(corn w/5 market)
(soy* w/5 market)
(herbicide w/5 market)
(glyphosate w/5 market)
((Roundup w/3 Ready or RR*) and market)
(Stack* w/5 market)
((input or output) w/5 market)
(exclusive w/3 dealing)
GLG /20 (*license or violat* or germplasm)
switch* or transition or convert* /20 GAT
Larson w/3 Kelly
((("field test" or "laboratory test" or research or marketing or "product development") /p ("Optimum GAT" or "GAT" or "O-GAT" or "OGAT" or "356043"))